

AMENDED IN SENATE APRIL 4, 2005

**SENATE BILL**

**No. 490**

**Introduced by Senator Lowenthal**

February 18, 2005

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An act to add and repeal Section 59018 of the Health and Safety Code, relating to toxic substances.

LEGISLATIVE COUNSEL'S DIGEST

SB 490, as amended, Lowenthal. Toxic substances list: Netherlands.

The Governor's Reorganization Plan No. 1 of 1991, which was not fully statutorily implemented, created the Office of Environmental Health Hazard Assessment in the California Environmental Protection Agency.

The existing Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) prohibits any person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical that is listed as being known to the state to cause cancer or reproductive toxicity without giving a specified warning, or from discharging or releasing such a chemical into any source of drinking water, except as specified.

This bill would require the office ~~to enter into a cooperative agreement~~, *in cooperation* with *the* Ministry of Housing, Spatial Planning, and the Environment of the Government of Netherlands, to compile a listing of substances recognized as posing hazards to human health or the environment. The bill would require the office, when compiling this listing, to not include any substance that is listed pursuant to Proposition 65. The bill would require the ~~office~~ *Director of Environmental Health Hazard Assessment*, by March 1, 2006, to ~~submit a~~ report to the Legislature regarding the actions being taken by the Government of the Netherlands to protect their citizens from

substances recognized as posing hazards to human health or the environment *and to post on the agency's Web site specified findings regarding those substances and the methodology used by the Government of the Netherlands to rapidly analyze chemicals in commerce.*

*The provisions of the bill would be repealed on January 1, 2007.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 59018 is added to the Health and Safety  
2 Code, to read:  
3 59018. (a) The Office of Environmental Health Hazard  
4 ~~Assessment shall enter into a cooperative agreement with~~  
5 *Assessment shall, in cooperation with the* Ministry of Housing,  
6 Spatial Planning, and the Environment of the Government of  
7 Netherlands ~~to~~, compile a listing of substances recognized as  
8 posing hazards to human health or the environment, based on the  
9 implementation strategy on the management of those substances  
10 by that ministry.  
11 (b) When compiling the listing pursuant to subdivision (a), the  
12 Office of Environmental Health Hazard Assessment shall not  
13 include any substance that is listed pursuant to Section 25249.8  
14 as a chemical otherwise known to the state to cause cancer or  
15 reproductive toxicity.  
16 (c) On or before March 1, 2006, the ~~Office~~ *Director* of  
17 Environmental Health Hazard Assessment shall ~~submit a report~~  
18 to the Legislature regarding the actions being taken by the  
19 Government of the Netherlands to protect their citizens from  
20 substances recognized as posing hazards to human health or the  
21 environment. *The Director of Environmental Health Hazard*  
22 *Assessment shall post on the Web site of the California*  
23 *Environmental Protection Agency any relevant findings*  
24 *regarding the listing of specific substances and the methodology*  
25 *used by the Government of the Netherlands to rapidly analyze*  
26 *chemicals in commerce.*  
27 (d) This section shall ~~stay~~ *remain* in effect only until January  
28 1, 2007, and as of that date is repealed, unless a later enacted

1 statute, that is enacted before January 1, 2007, deletes or extends  
2 that date.

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